

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15620 of James H. and Anna Lemon, pursuant to 11 DCMR 3107.2, for a variance from the allowable percentage of lot occupancy requirement (Sub-section 403.2), a variance from the minimum rear yard requirement (Sub-section 404.1), and a variance from the width of an open court requirement (Sub-section 406.1) for a deck and awning addition to a single-family row dwelling in an R-4 District at premises 1704 C Street, N.E. (Square 4561, Lot 247).

HEARING DATE: February 12, 1992
DECISION DATE March 4, 1992

DISPOSITION: The Board GRANTED the application by a vote of 3-0 (Paula L. Jewell and Sheri M. Pruitt to grant; Angel F. Clarens to grant by proxy; Carrie L. Thornhill not voting, not having heard the case).

FINAL DATE OF ORDER: March 25, 1992

MODIFICATION ORDER

The Board granted the application by its order dated March 25, 1992, subject to the **CONDITION** that the awning be removed. By letter dated April 5, 1992, the applicants filed a timely request for a modification of the plans approved and conditioned by the Board's order. The proposed modification of plans would result in the retention of the awning, subject to the following proposed conditions:

1. The wooden awning frame may be retained, but the existing rafters must be shortened in length so that they do not extend beyond the north end of the deck. Fiberglass awning panels may not be installed on top of the frame except as specified in item 2 below.
2. Fiberglass awning panels may be installed on the wood awning frame provided that the north end of the panels does not extend beyond the minimum rear yard requirement of 20 feet. The applicants' original construction plan requested that the north end of the awning panels extend 13 feet from the north end of the house. Therefore, the applicants' plans must be revised so that the north end of the panels does not extend beyond seven feet from the north end of the house.

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The applicants argued that the proposed modified plans would address the concern expressed by the Office of Planning that the planned awning addition would further increase the amount of nonconformity by increasing the enclosed living space on the property and should still allow the applicants a means of satisfying their stated needs. There was no opposition to the proposed modification of plans.

Upon consideration of the motion, the record in the case and its final order, the Board concludes that the proposed modification of plans represents a substantial departure from the plans which were originally approved by the Board. The Board was cognizant of the applicant's desire to provide an awning over the deck and of the current existence of a partially completed awning structure at the subject site. However, as reflected in the Board's conditioning of its approval of the application, the Board concluded that the awning structure could result in a negative impact on the adjoining properties and would be inconsistent with the Zoning Regulations and Map.

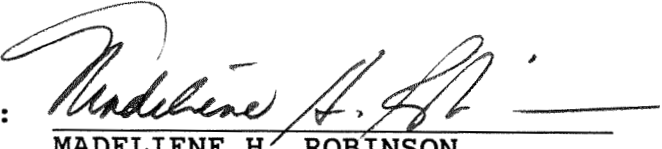
Accordingly, it is hereby ORDERED that the request for a modification of plans is DENIED. The order of the Board dated March 25, 1992 shall remain in full force and effect.

DECISION DATE: June 3, 1992

VOTE: 3-0 (Angel F. Clarens, Sheri M. Pruitt and Paula L. Jewell to deny; Carrie L. Thornhill not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


MADELIENE H. ROBINSON
Acting Director

FINAL DATE OF ORDER:

JUN 26 1992

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

15620Order/bhs

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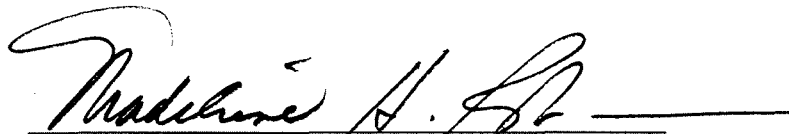


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As Acting Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on JUN 26 1992 a copy of the order entered on that date in this matter was mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

James H. & Anna Lemon
1704 C Street, N.E.
Washington, D.C. 20002

Craig Lisk, Chairperson
Advisory Neighborhood Commission 6-A
1341 Maryland Avenue, N.E.
Washington, D.C. 20002


MADELIENE H. ROBINSON
Acting Director

DATE: JUN 26 1992

15620Att/bhs